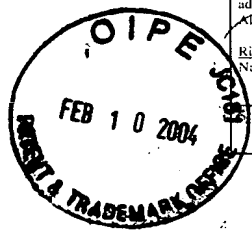


I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on February 2, 2004

Richard S. Echler, Sr.  
Name of Attorney/Agent  
Registration No. 41006  
Signature of Attorney or Agent



P&G Case 9071M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :  
Frank Hallock Ebetino et al. : Confirmation No.  
Serial No. 10/689,022 : Group Art Unit  
Filed 10/20/2003 : Examiner

For MELANOCORTIN RECEPTOR LIGANDS

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made on the attached Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in § 1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. § 1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. § 1.56(b).

1. ☐ 37 C.F.R. § 1.97(b)(1) - U.S. Direct (use when filing IDS with nonprovisional patent application, or with Request for Continued Examination (RCE); or within 3 months of filing a nonprovisional patent application)

This information disclosure statement, submitted under 37 C.F.R. § 1.97(b)(1), is being filed with the patent application, with a Request for Continued Examination or within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☒ **37 C.F.R. §1.97(b)(3) - (use when filing IDS more than 3 months after filing a nonprovisional patent application, but prior to receipt of first Office Action)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

3. ☐ **37 C.F.R. §1.97(b)(4) - (use when filing IDS prior to receipt of first Office Action after the filing of a Request for Continued Examination (RCE) under §1.114)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(4). Applicants have not received a first Office Action after filing a Request For Continued Examination (RCE). Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

4. ☐ **37 C.F.R. §1.97(c) with fee payment - (use when filing IDS after receipt of first Office Action, and before receipt of Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte Quayle*) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter (or a fee transmittal form) is enclosed to facilitate the charging of the fee.

5. ☐ **Information to be Considered with Continued Prosecution Application (CPA) Filing (use when filing IDS with a Continued Prosecution Application (CPA) for Design Case)**. This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 C.F.R. 1.53(d).

**ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:**

☐ (1) (For use with applications filed prior to or on June 30, 2003.) Copies of the cited documents are enclosed.

OR

☒ (2) (For use with applications filed after June 30, 2003.) In accordance with 37 C.F.R. §1.98(a)(2), Applicants are submitting copies of foreign patent documents and non-patent literature.

OR

☐ (3) All of the cited references were previously cited by or submitted to the USPTO in prior application Case No. \_\_\_\_, U.S. Patent Application Serial No. \_\_\_\_, filed \_\_\_\_. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

OR

☐ (4) Copies of all said documents, except Cite Numbers \_\_\_\_, were submitted and considered in parent application U.S. Patent Application Serial No. \_\_\_\_, filed \_\_\_\_. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of references not previously submitted are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

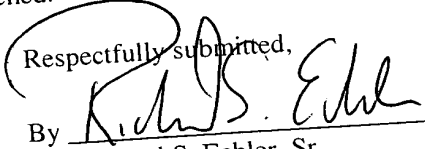
☐ (5) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

☐ (6) Applicants also respectfully request the Examiner to consider and make of record the co-pending applications listed on the attached page.

☐ Additional information is attached.

Respectfully submitted,

By

  
Richard S. Echler, Sr.

Attorney or Agent for Applicant(s)

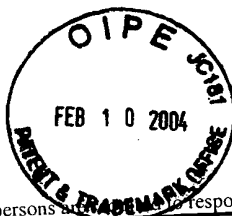
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PTO/SB08A/B (04-03)

Approved for use through 04/30/2003. OMB 0651-0031  
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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)

SHEET 1 of 2

## COMPLETE IF KNOWN

|                        |                       |
|------------------------|-----------------------|
| Application Number     | 10/689,022            |
| Confirmation Number    |                       |
| Filing Date            | 10/20/2003            |
| First Named Inventor   | Frank Hallock Ebetino |
| Group Art Unit         |                       |
| Examiner Name          |                       |
| Attorney Docket Number | 9071M                 |

## U. S. PATENT DOCUMENTS

| EXAMINER INITIALS* | Cite No. <sup>1</sup> | DOCUMENT NUMBER<br>Number - Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines Where<br>Relevant Passages or Relevant<br>Figures Appear |
|--------------------|-----------------------|---|--------------------------------|--|--|
|                    | 1                     | US-5,783,582  | 07/21/1998                     | Guo et al.   |  |
|                    | 2                     | US-5,804,578  | 09/08/1998                     | Chakravarty et al.                                 |  |
|                    | 3                     | US-5,721,250  | 02/24/1998                     | Morriello et al.                                   |  |
|                    | 4                     | US-5,494,919  | 02/27/1996                     | Morriello et al.                                   |  |
|                    | 5                     | US-5,721,251  | 02/24/1998                     | Chen et al.  |  |
|                    | 6                     | US-5,880,125  | 03/09/1999                     | Nargund  |  |
|                    | 7                     | US-5,965,565  | 10/12/1999                     | Chen et al.  |  |
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|                    | 9                     | US-6,350,760 B1   | 02/26/2002                     | Bakshi et al.                                      |  |
|                    | 10                    | US-5,492,916  | 02/20/1996                     | Morriello et al.                                   |  |
|                    | 11                    | US-5,877,182  | 03/02/1999                     | Nargund et al.                                     |  |
|                    | 12                    | US-5,936,089  | 08/10/1999                     | Carpino et al.                                     |  |
|                    | 13                    | US-6,294,534 B1   | 09/25/2001                     | Nargund et al.                                     |  |

## FOREIGN PATENT DOCUMENTS

| EXAMINER INITIALS* | Cite No. <sup>1</sup> | FOREIGN PATENT DOCUMENT<br>Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup><br>(if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines<br>Where Relevant Passages<br>or Relevant Figures<br>Appear | T <sup>6</sup> |
|--------------------|-----------------------|---|--------------------------------|--|---|----------------|
|                    | 14                    | WO 01/70337 A1  | 09/27/2001                     | Palucki et al.                                     |   |                |
|                    | 15                    | WO 96/13265 A1  | 05/09/1996                     | Nargund et al.                                     |   |                |
|                    | 16                    | WO 96/02530 A1  | 02/01/1996                     | Guo et al.   |   |                |
|                    | 17                    | WO 94/19367 A1  | 09/01/1994                     | Chen et al.  |   |                |
|                    | 18                    | WO 03/031410 A1   | 04/17/2003                     | Neurocrine Biosciences, Inc.                       |   |                |
|                    | 19                    | WO 94/13696 A1  | 06/23/1994                     | Chen et al.  |   |                |
|                    | 20                    | WO 99/64002 A1  | 12/16/1999                     | Nargund et al.                                     |   |                |
|                    | 21                    | WO 98/10653 A1  | 03/19/1998                     | Nargund et al.                                     |   |                |
|                    | 22                    | WO 02/00654 A1  | 01/03/2002                     | Carpino et al.                                     |   |                |
|                    | 23                    | WO 01/91752 A1  | 12/06/2001                     | Bakshi et al.                                      |   |                |
|                    | 24                    | WO 99/58501 A1  | 11/18/1999                     | Hansen et al.                                      |   |                |
|                    | 25                    | WO 96/38471 A1  | 12/05/1996                     | Carpino et al.                                     |   |                |
|                    | 26                    | WO 96/38471 A1  | 08/01/2002                     | Backer et al.                                      |   |                |
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|                    | 28                    | WO 02/15909 A1  | 09/06/2002                     | Ujjainwalla et al.                                 |   |                |
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|                    | 30                    | WO 02/068387 A2   | 09/06/2002                     | Bakshi et al.                                      |   |                |
|                    | 31                    | WO 00/74679 A1  | 12/14/2000                     | Basu et al.  |   |                |
|                    | 32                    | WO 99/55679 A1  | 11/04/1999                     | Briner et al.                                      |   |                |
|                    | 33                    | WO 02/059117 A1   | 08/01/2002                     | Yu et al.  |   |                |
|                    | 34                    | WO 02/070511 A1   | 09/12/2002                     | Palucki et al.                                     |   |                |
|                    | 35                    | WO 01/70708 A1  | 09/27/2001                     | Neurocrine Biosciences, Inc.                       |   |                |
|                    |                       | WO 03/031410 A1   | 04/17/2003                     |  |   |                |
| EXAMINER           |                       |   |                                | DATE CONSIDERED                                    |   |                |



-2-

EXAMINER's reference considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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